

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

227294

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

June 17, 2010

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings

JUN 17 2010

Part of
Public Record

Re: **Finance Docket No. 35110**
Florida Department of Transportation -- Acquisition
Exemption -- Certain Assets of CSX Transportation, Inc.

Dear Chief Brown:

We are in receipt, on behalf of the Florida Department of Transportation ("FDOT"), of the letter filed in the above-captioned proceeding on June 14, 2010 by the Brotherhood of Railroad Signalmen ("BRS") -- the third submission made by BRS in response to FDOT's pending motion to dismiss its notice of exemption herein.

FDOT does not intend to reply to BRS's most recent letter, and encourages the Board to proceed immediately to consideration of FDOT's motion to dismiss.

Respectfully submitted,


Thomas J. Litwiler
Attorney for Florida Department of Transportation

TJL:tl

cc: Richard S. Edelman, Esq.
George W. Mayo, Jr., Esq.
Jared I. Roberts, Esq.

ENTERED
Office of Proceedings

JUN 17 2010

Part of
Public Record